

## **AGENDA ITEM NO. VII-2**

## **AGENDA REPORT**

### **OVERSIGHT BOARD FOR THE CITY OF MAYWOOD AS SUCCESSOR AGENCY OF THE MAYWOOD COMMUNITY REDEVELOPMENT AGENCY**

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**DATE:** JUNE 12, 2013

**TO:** HONORABLE CHAIR AND MEMBERS OF THE OVERSIGHT BOARD

**FROM:** ANDRE DUPRET, PROJECT MANAGER

**SUBJECT:** APPROVAL OF A RESOLUTION OF THE MAYWOOD OVERSIGHT BOARD AUTHORIZING THE TRANSFER OF ASSESSOR'S PARCEL NO. 6311-26-902 FROM THE SUCCESSOR AGENCY TO THE CITY OF MAYWOOD AS AN ASSET TO BE CONSTRUCTED AND USED FOR A GOVERNMENTAL PURPOSE PURSUANT TO HEALTH AND SAFETY CODE (HSC) SECTION 34181(A)

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### **RECOMMENDATION**

That the Maywood Oversight Board approve a resolution authorizing the transfer of real property located at 5515 Maywood Ave., Maywood, California, Assessor's Parcel No. 6211-26-902 ("Property"), from the Successor Agency to the City of Maywood, as an asset to be constructed and used for a governmental purpose pursuant to HSC Section 34181(A).

### **FISCAL IMPACT**

The transfer of this Property will marginally reduce the overall amount the City and other taxing entities would have received by the sale of the Property.

### **BACKGROUND**

On February 9, 2010, the Maywood Community Development Commission ("CDC") and the Trust for Public Land ("TPL"), a California non-profit public benefit corporation, entered into a "Donation Agreement for Development and Construction of the Maywood Avenue Park" ("Agreement") whereby the CDC would provide the land and TPL would provide the funds, design and specifications, technical support, and construction resources to develop Maywood Avenue Park.

However, on December 29, 2011, the California Supreme Court upheld ABX1 26 ("RDA Dissolution Bill") in *California Redevelopment Association v. Matosantos* whereby all redevelopment agencies and redevelopment projects in the State of California were

dissolved. Although the RDA Dissolution Bill dissolved all redevelopment agencies and projects, the Successor Agency can transfer property to the appropriate public jurisdiction if it is used or constructed for a governmental purpose subject to approval by the Oversight Board of the Successor Agency and California Department of Finance ("DOF").

On May 13, 2013, at a duly noticed public meeting, the Successor Agency to the Maywood Community Redevelopment Agency approved a resolution authorizing the transfer of Assessor's Parcel No. 6311-26-902 from the Successor Agency to the City of Maywood as an asset to be constructed and used for a governmental purpose pursuant to Health and Safety Code (HSC) Section 34181(A).

## **DISCUSSION**

With the passage of the RDA Dissolution Bill, the Maywood Avenue Park project has been brought into question. At the time the Agreement was entered into, no one could have anticipated the dissolution of redevelopment agencies in the State of California. Although the Agreement is valid under the RDA Dissolution Bill because it was entered into prior to June 28, 2011, TPL and members of the community seek assurances that the Agreement will meet its intended purpose of providing a park to the community. Health and Safety Code Section 34181(a) authorizes the Successor Agency to transfer property to another public agency that is used, or constructed for use, as a governmental purpose. A park is defined under Health and Safety Code Section 34191.3 as a "governmental purpose."

The planned Maywood Avenue Park will serve a strong governmental purpose in providing much needed parkland to the City. Currently, the City has two neighborhood parks: Maywood City Park at just over 5 acres and Riverfront Park at just under 8 acres (when completed); and two pocket parks: Pixley Park and Pine Avenue Park – both about a third of an acre in size. The combined land area of these parks is roughly 13 acres which is far below the amount required by the City's General Plan. According to the standards contained in the General Plan, Maywood needs over 2.5 acres of parkland for every 1000 residents, or 70 acres, just to meet the nationally recognized standards for the parkland-to-population ratio.

With approximately 13 acres of parkland currently available in the City, there is a 57-acre deficit that the proposed Maywood Avenue Park would help to alleviate. Similar in scope, Pine Avenue and Maywood Avenue Parks are good examples of a successful private/public partnership that resulted in the addition of critically needed parks and open space in a community with a severe shortage of recreational opportunities and amenities.

Because the CDC purchased and identified this property as a park site long before the dissolution of redevelopment, there is a strong interest in having the State honor the

original plan. The transfer of the property will allow the City to create critically needed parkland in the City. Several years of planning and community involvement have gone into the production of a beautiful design and unique specifications that promise to create a one-of-a-kind recreational amenity in the City.

In order for the TPL to proceed with the development of the park – free from encumbrances and clouds-on-title – the Successor Agency must transfer the property from the Successor Agency to the City by resolution and it must declare that the land is to be used for a governmental purpose pursuant to Health and Safety Code Section 34181(A).

If approved today, Staff will propose this item for recommendation and approval to the DOF. If the transfer of the land is approved by the DOF, the City would work with the TPL to amend the Agreement to reflect the change in title and to have the document and all necessary documents, legally recorded with the Los Angeles County Recorder's Office and required agencies.

#### Environmental Review

*The transfer of the Property from the Successor Agency to the City is categorically exempt under Title 14 of California Code of Regulations Section 15316 as the transfer of ownership of land in order to create parks.*

#### Alternatives

The Oversight Board and the DOF could decide not to initiate the process of transferring the Property to the City. The Property would remain with the Successor Agency and would be subject to a long-term property management plan where the DOF will determine final disposition of the Property.

Attachments: 1) Resolution  
2) Donation Agreement for Development and Construction of the  
Maywood Avenue Park